



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 21128

PERMIT 14704

LICENSE 10607

THIS IS TO CERTIFY, That

SANTA CLARA VALLEY WATER DISTRICT
5750 ALMADEN EXPRESSWAY, SAN JOSE, CALIFORNIA 95111

HAS made proof as of JULY 23, 1971 (the date of inspection)
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
COYOTE RIVER IN SANTA CLARA COUNTY

tributary to SAN FRANCISCO BAY

for the purpose of DOMESTIC, INDUSTRIAL AND RECREATIONAL USES
under Permit 14704 of the Board and that the right to the use of this water has been perfected
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the
priority of this right dates from JANUARY 21, 1963 and that the amount of water to which
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated
purposes and shall not exceed TWENTY THOUSAND ONE HUNDRED EIGHTY (20,180) ACRE-Feet PER
ANNUM, TO BE COLLECTED FROM OCTOBER 1 OF EACH YEAR TO JULY 1 OF THE SUCCEEDING
YEAR. THE MAXIMUM WITHDRAWAL IN ANY ONE YEAR UNDER THIS LICENSE AND LICENSE 721
(APPLICATION 13016) SHALL NOT EXCEED 43,370 ACRE-Feet.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

LEROY ANDERSON RESERVOIR - SOUTH 58° WEST 360 FEET FROM COMMON CORNER FOR RANCHO
LA LAGUNA SECA, RANCHO SAN FELIPE AND SAN JOSE CITY LANDS, BEING WITHIN SW1/4 OF
NE1/4 OF PROJECTED SECTION 10, T9S, R3E, MDB&M.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

159,075 ACRES WITHIN THE SANTA CLARA VALLEY WATER CONSERVATION DISTRICT, AS
SHOWN ON MAP FILED WITH STATE WATER RESOURCES CONTROL BOARD.

WATER ENTERING THE RESERVOIR OR COLLECTED IN THE RESERVOIR DURING AND AFTER
THE CURRENT STORAGE SEASON SHALL BE RELEASED INTO THE DOWNSTREAM CHANNEL TO THE
EXTENT NECESSARY TO SATISFY DOWNSTREAM PRIOR RIGHTS AND/OR TO THE EXTENT THAT
APPROPRIATION OF WATER IS NOT AUTHORIZED UNDER THIS LICENSE.

THIS LICENSE DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE DURING THE

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license, including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to minimizing waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (3) suppressing evaporation losses from water surfaces; (4) controlling phreatophytic growth; and (5) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code), or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State, so desiring to purchase and the owner of the works and property cannot agree

LICENSEE SHALL MAINTAIN SUCH RECORDS OF WELL LEVELS AND OF STORAGE, STREAMFLOW AND CANAL DIVERSIONS AS ARE REQUIRED BY THE STATE WATER RESOURCES CONTROL BOARD TO ESTABLISH THE AMOUNT OF PERCOLATION WHICH OCCURS BETWEEN MADRONE GAGING STATION AND COYOTE AND THE LOCAL DISTRIBUTION THEREOF, AND COPIES OF SUCH RECORDS SHALL BE MAILED TO THE STATE WATER RESOURCES CONTROL BOARD ALONG WITH THE RECORDS REQUIRED BY THE FOLLOWING TERM. THE STORAGE AND DIVERSION FACILITIES SHALL BE SO OPERATED UNDER THIS LICENSE AS TO CAUSE AS NEARLY AS PRACTICABLE THE SAME ANNUAL PERCOLATION BETWEEN MADRONE AND COYOTE AS WOULD HAVE OCCURRED IN A STATE OF NATURE WITHOUT THE EXISTENCE OF SAID FACILITIES, AND WITHOUT INCREASE IN THE AMOUNT OCCURRING IN THE LOWER PORTION OF THE CONE.

LICENSEE SHALL MAINTAIN SUCH MEASURING AND RECORDING DEVICES AND OBTAIN AND FURNISH TO THE STATE WATER RESOURCES CONTROL BOARD EVERY TWO YEARS SUCH RECORDS OF FLOW AS MAY BE REQUIRED TO DETERMINE WITH REASONABLE CERTAINTY THE QUANTITY OF WATER PLACED IN STORAGE AND THE QUANTITY SUBSEQUENTLY RECOVERED UNDER THE PROVISIONS OF THIS LICENSE AND APPLIED TO BENEFICIAL USE.

THE QUANTITY OF WATER DIVERTED UNDER THIS LICENSE IS SUBJECT TO MODIFICATION BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE LICENSEE AND AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADEQUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES.

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STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 21128

PERMIT 14704

LICENSE 10607

ORDER ALLOWING CHANGE IN PURPOSE OF USE AND PLACE OF USE

WHEREAS:

1. License 10607 was issued to Santa Clara Valley Water District and was recorded with the County Recorder of Santa Clara County on July 14, 1976 in Book C-140, Page 326.
2. A petition for change in purpose of use and place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
3. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The purposes of use under this license shall be as follows:

Domestic, Industrial, Recreational and Incidental Power

2. The place of use under this license shall be as follows:

Domestic, Industrial and Recreational: within the service area of the Santa Clara Valley Water District as shown on map, dated December 1969, filed with the State Water Resources Control Board.

Incidental Power: Anderson power plant located within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ projected Section 10, T9S, R3E, MDB&M.

Dated: FEBRUARY 14 1984

Raymond Walsh

Raymond Walsh, Chief
Division of Water Rights